



U.S. Department  
of Transportation

Research and  
Special Programs  
Administration

400 Seventh Street, S.W.  
Washington, D.C. 20590

DEC 10 2004

DOT-E 10195  
(EIGHTH REVISION)

EXPIRATION DATE: November 30, 2006

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Engelhard Corporation  
Pasadena, TX
2. PURPOSE AND LIMITATION:
  - a. This exemption authorizes the transportation in commerce of DOT Specification 4BW225 or 4BW240 cylinders which are limited to a 15 year service life subject to 5 year internal and external visual inspections when used in dedicated compatible catalyst formulation service. This exemption provides no relief from the Hazardous Materials Regulations (HMR) other than as specifically stated herein.
  - b. The safety analyses performed in development of this exemption only considered the hazards and risks associated with transportation in commerce.
3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.
4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR §§ 173.211 and 173.212 in that the cylinders are not authorized packagings and § 180.205 in that the cylinders are authorized alternative testing.
5. BASIS: This exemption is based on the application of Engelhard Corporation dated November 15, 2004, submitted in accordance with § 107.109.

DEC 10 2004

6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Hazardous materials description -- proper shipping name	Hazard Class/ Division	Identification Number	Packing Group
Corrosive liquids, acidic, organic, n.o.s.	8	UN3265	II
Corrosive solids, acidic, inorganic, n.o.s.	8	UN3260	II
Corrosive solids, flammable, n.o.s.	8	UN2921	II
Flammable liquids, corrosive, n.o.s.	3	UN2924	II
Flammable liquids, toxic corrosive, n.o.s.	3	UN3286	II
Flammable solids, corrosive, organic, n.o.s.	4.1	UN2925	II
Water reactive liquids, n.o.s.	4.3	UN3148	II
Water reactive solids, n.o.s.	4.3	UN2813	II
Water reactive solid, flammable, n.o.s.	4.3	UN3132	I

7. SAFETY CONTROL MEASURES:

a. PACKAGING - Packagings prescribed are DOT 4BW225 or 4BW240 cylinders not over 75 gallons water capacity. Each cylinder must be prepared and filled for shipment in accordance with the procedures contained in the petitioner's June 11, 1993 application. Additionally, each cylinder must be in dedicated compatible catalyst formulation service during its service life.

b. In lieu of the prescribed hydrostatic test, each cylinder must be subjected to a complete internal and external visual examination in accordance with CGA Pamphlet C-6 at least once every five years.

DEC 10 2004

Prior to being returned to service, each cylinder must be prepared for refilling in accordance with the procedures contained in the petitioner's June 11, 1993 application.

c. The service life for each cylinder may not exceed 15 years from the date of manufacture.

d. If for any reason, the cylinders are removed from the authorized catalyst formulation service, the cylinders must have all DOT specification markings permanently removed and rendered incapable of holding pressure.

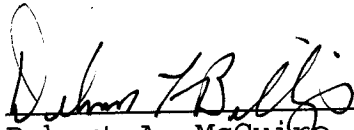
8. SPECIAL PROVISIONS: This exemption serves as a Competent Authority Approval (CA-9604012) issued by the Associate Administrator for Hazardous Materials Safety of the United States Department of Transportation issued in accordance with Section 22 of the General Introduction of the International Maritime Organization's (IMO) International Maritime Dangerous Goods (IMDG) Code.
9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle, rail freight and cargo vessel.
10. MODAL REQUIREMENTS: A current copy of this exemption must be carried aboard each cargo vessel used to transport packages covered by this exemption.
11. COMPLIANCE: Failure by a person to comply with any of the following may result in suspension or revocation of this exemption and penalties prescribed by the Federal hazardous materials transportation law, 49 U.S.C. 5101 et seq:
  - o All terms and conditions prescribed in this exemption and the Hazardous Materials Regulations, 49 CFR Parts 171-180.
  - o Persons operating under the terms of this exemption must comply with the security plan requirement in Subpart I of Part 172 of the HMR, when applicable.
  - o Registration required by § 107.601 et seq., when applicable.

Each "Hazmat employee", as defined in § 171.8, who performs a function subject to this exemption must receive training on the requirements and conditions of this exemption in addition to the training required by §§ 172.700 through 172.704.

No person may use or apply this exemption, including display of its number, when this exemption has expired or is otherwise no longer in effect.

12. REPORTING REQUIREMENTS: The carrier is required to report any incident involving loss of packaging contents or packaging failure to the Associate Administrator for Hazardous Materials Safety (AAHMS) as soon as practicable. (Sections 171.15 and 171.16 apply to any activity undertaken under the authority of this exemption.) In addition, the holder(s) of this exemption must inform the AAHMS, in writing, of any incidents involving the package and shipments made under the terms of this exemption.

Issued in Washington, D.C.:

  
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b<sup>n</sup> Robert A. McGuire  
Associate Administrator for  
Hazardous Materials Safety

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(DATE)

Address all inquiries to: Associate Administrator for Hazardous Materials Safety, Research and Special Programs Administration, Department of Transportation, Washington, D.C. 20590. Attention: DHM-31.

Copies of this exemption may be obtained by accessing the Hazardous Materials Safety Homepage at <http://hazmat.dot.gov/exemptions> Photo reproductions and legible reductions of this exemption are permitted. Any alteration of this exemption is prohibited.

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